

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	CASE NO.: 05-452M
)	
Plaintiff,)	
)	
v.)	DETENTION ORDER
)	
ABEL CASTRO-RUIZ,)	
)	
Defendant.)	

Offense charged:

Illegal Reentry after Deportation

Date of Detention Hearing: Initial Appearance September 14, 2005

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Defendant is charged by complaint with re-entering the United States without permission, having previously been arrested and deported.

(2) Defendant has a criminal record that includes malicious mischief, theft, taking motor vehicle without permission, assault, attempting to elude police, minor in possession, robbery

01 2nd degree, DWLS 2nd degree, criminal impersonation, possession of drug paraphernalia, assault,
02 false reporting, possession of marijuana, and DUI. His history includes prior warrant activity.

03 (3) The defendant was not interviewed by Pretrial Services. He is a native and citizen
04 of Mexico. There is no additional information available regarding his personal history, residence,
05 family ties, ties to this District, income, financial assets or liabilities, physical/mental health or
06 controlled substance use if any.

07 (4) An immigration detainer has been filed. Therefore, the defendant does not contest
08 detention.

09 (5) The defendant poses a risk of nonappearance due to his status as a native and
10 citizen of Mexico who has been previously deported, unknown background and unknown ties to
11 this District, a history of failing to appear, and immigration detainer. He poses a risk of danger
12 based on criminal history.

13 (6) There does not appear to be any condition or combination of conditions that will
14 reasonably assure the defendant's appearance at future Court hearings while addressing the danger
15 to other persons or the community.

16 It is therefore ORDERED:

17 (1) Defendant shall be detained pending trial and committed to the custody of the
18 Attorney General for confinement in a correction facility separate, to the extent
19 practicable, from persons awaiting or serving sentences or being held in custody
20 pending appeal;

21 (2) Defendant shall be afforded reasonable opportunity for private consultation with
22 counsel;

23 (3) On order of a court of the United States or on request of an attorney for the
24 Government, the person in charge of the corrections facility in which defendant is
25 confined shall deliver the defendant to a United States Marshal for the purpose of
26 an appearance in connection with a court proceeding; and

01 (4) The clerk shall direct copies of this Order to counsel for the United States, to
02 counsel for the defendant, to the United States Marshal, and to the United States
03 Pretrial Services Officer.

04 DATED this 15th day of September, 2005.

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07 Mary Alice Theiler
08 United States Magistrate Judge
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